



CITY OF SUNNYVALE REPORT Planning Commission

February 14, 2005

SUBJECT: **2004-0927 - Lowe's HIW Inc.** [Applicant] **Signetics Corporation** [Owner]: Application on a 15-acre site located at **811 East Arques Avenue** in an M-S (Industrial & Service) Zoning District. (APN's: 205-27-008 and 205-27-004):

Motion Use Permit to allow the demolition of existing industrial buildings and the construction of a 141,379 square-foot retail store (Lowe's) with associated site improvements.

REPORT IN BRIEF

Existing Site Conditions Existing vacant multi-story research and development industrial building with associated site improvements of parking and landscaping.

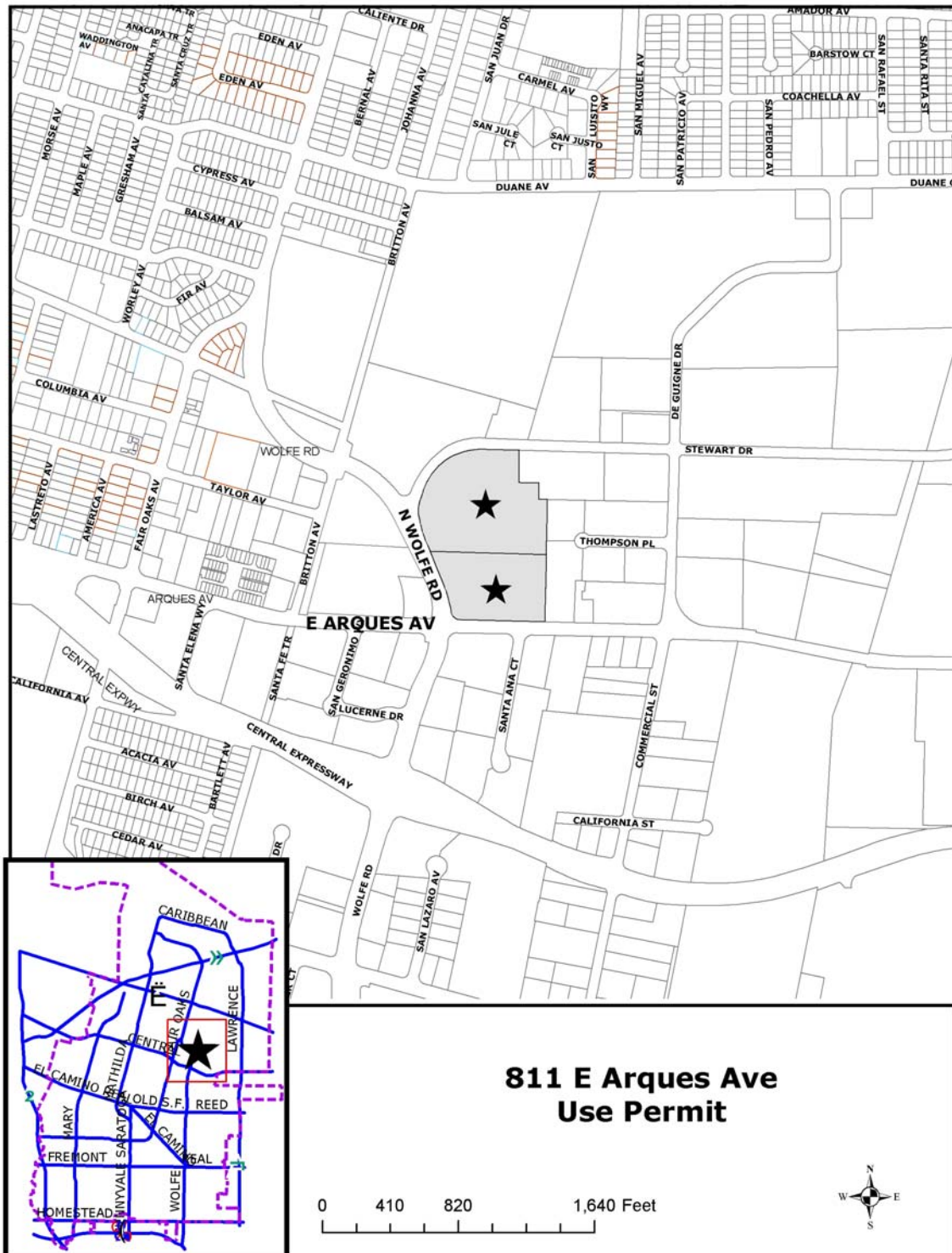
Surrounding Land Uses

North	Industrial/office
South	Industrial/office
East	Industrial/Office
West	Fire Station/Apartments

Issues Architectural details, site design

Environmental Status Staff prepared a mitigated negative declaration for the project, including mitigations for Air Quality, Aesthetics, Transportation and Traffic, and Cultural Resources.

Staff Recommendation Approve with Conditions



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Industrial	Same	Industrial
Zoning District	MS	Same	MS
Lot Size (acres)	15.06	15.06	.51 min.
Gross Floor Area (s.f.)	316,713	165,765 134,563-hardware 31,202 -garden center	No max.
Lot Coverage (%)	28	21.5	45 max.
Floor Area Ratio (FAR%)	35	25.3	35 max. without PC review
No. of Buildings On-Site	3	1	---
Building Height (ft.)	32	49	75 max.
No. of Stories	2	1	8 max.
Setbacks			
• Front (Wolfe)	192	90-470	35 min.
• Left Side (Stewart)	98	330	20 min.
• Right Side (Arques)	105	70	35 min.
• Rear	338	62	0 min.
Landscaping (sq. ft.)			
• Total Landscaping	80,000	237, 581 (hydroseed 104,544 (Turfstone™ 26,301))	131,200 min.
• Frontage Width (ft.)	23	32	15 ft. min.
• % Based on Floor Area	25.2	143	10 min.
• % Based on Parking Lot area	40.6	141	20 min
• Parking Lot Area Shading (%)	Unknown	50%	50% min. in 15 years
Parking			
• Total Spaces	670	662	629 min.
• Standard Spaces	652	593	
• Compact Spaces/ % of Total	none	56	10% max.
• Accessible Spaces	18	13	14 min.
• Turfstone Spaces	NA	186	NA
• Bicycle Parking	unknown	30	<i>Retail Guideline</i> 1 per 30 emp. plus 1/6000 sq ft
Stormwater			
• Impervious Surface Area (s.f.)	380,000	332,600	Group 1 threshold 43,560
• Impervious Surface (%)	58%	50%	NA

ANALYSIS

Description of Proposed Project

The project consists of the demolition of an existing Research and Development facility, most recently operated as Phillips Electronics, to allow for the development of a new retail home improvement store. The new store will consist of both an enclosed building of 141,000 square feet (6,000 in garden center) and an outdoor garden center of 24,000 square feet. The site also is designed to allow outdoor seasonal sales in the parking lot. The proposed use will operate from 6:00 am to 10:00 pm and the applicant also seeks the ability to operate on a 24-hour basis in the future if demand exists. Staff recommends a condition requiring the applicant seek a Miscellaneous Plan Permit for hours of operation extending beyond 12:00 am for extended periods of time not including short duration special events and promotions.

Background

The former Phillips buildings were developed in 1964 and utilized as an industrial use until their closing in 2003. The property has been vacant since closure. During the operations of the facility, groundwater contamination was discovered on the site in 1982. Remediation efforts are underway at this time and the site contains over 30 monitoring wells that are primarily located in the northern 1/3 of the site. A more complete discussion of the groundwater remediation can be found in the Initial Study that was completed for the project in Exhibit "C."

Environmental Review

A Mitigated Negative Declaration has been prepared in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the proposed project would not create any significant environmental impacts (see Attachment 3, Initial Study) with implementation of the recommended mitigation measures. Impacts requiring specific mitigation measures include: Aesthetics (operational lighting); Air Quality (temporary construction); Cultural Resources (protection during excavation); and Transportation and Traffic (road design related to Stewart Drive access). The potential hazardous material exposure from the contaminated groundwater is part of a previous environmental document and cleanup plan that the California Regional Water Quality Control Board is the Lead Agency. The applicant is responsible for separate permits from the Regional Board to assure conformance with protection measures during construction and the ongoing responsibilities for monitoring and remediation.

Use Permit

Site Layout: Nearby uses include a mixture of industrial uses with the exception of across Wolfe Road where both a Sunnyvale Fire Station and high-density apartments are located. The property has frontage along three public streets and abuts existing industrial development to the east. Wolfe Road and Arques Avenue are multi-lane arterial streets and Stewart Drive is a local area serving road. Bike lanes exist on all three public street frontages with the exception of the west bound segment of Arques Avenue along the subject site's frontage. Sidewalks exist along Arques Avenue and Wolfe Road but do not exist along Stewart Drive. The site has proposed vehicle access from each of the three public streets as well as pedestrian access routes from Wolfe Road and Stewart Drive. The applicant is required to provide sidewalks per the Sunnyvale Municipal Code where sidewalks do not exist at the time of a proposed development. Staff will further review the adequacy of existing sidewalks during final plan review for conformance to standard specifications and require upgrades of deficient substandard sidewalks to meet current standards.

The proposed new building is located along the east side of the property with truck access along the east property line. Customer access and parking is located to the west of the building. The building is setback a minimum of 90 feet from Wolfe Road at the southwest corner to a maximum of 470 feet at the northwest corner. The building is setback 70 feet from Arques Avenue and over 300 feet from Stewart Drive at its closest point. All setbacks are in conformance with code requirements. The loading areas for the building are planned along the east boundary behind the building providing for the greatest degree of separation from the existing residences on Wolfe Road.

In addition to the main building, the site also includes an uncovered fenced garden center on the north side of the building. Seasonal sales are shown to occur in the parking lot just to the west of the garden center area. The project also includes two areas along Stewart Drive that are reserved for future development and are planned to have hydroseeded groundcover so as not to have excessive paving on the site in the meantime. These designated hydroseeded areas also contain a high number of monitoring wells for the groundwater remediation.

The following Guidelines were considered in analysis of the project site design.

Industrial Design Guidelines (Site Layout)	Comments
<i>Section 1 B1 Site components such as structures, parking, driveways, and out-door functions shall be arranged and located to emphasize the aesthetically pleasant components of the site such as existing mature trees and views, or superior architectural features, and disguise its less attractive scenes such as service facilities, outside storage and equipment areas, and trash enclosures through placement and design of the structure and landscaping.</i>	The building is located to the east side of the site orienting the main building façade and entry towards the street, the garden center and loading areas are located in the rear and along the least visible public street. The building is set the furthest away (as feasible) from residential to the west. The major architectural features are highlighted along the front façade facing Wolfe Road. The siting of the building retains significant trees along the perimeter but did not allow for retention of internal trees located in a former parking lot. The size of the building and configuration as a warehouse coupled with locations of monitoring wells, access and geometry constraints of the site limit the location of the main building. Flipping the garden center to Arques may permit salvaging 2-3 additional trees within the confines of the garden center perimeter, but then the design would be incongruent with the intent of the guideline to locate such facilities away from visible areas. <u>Landscaped frontage strips will encircle the parking lot.</u>
<i>A8 Natural features on a site such as mature trees, creeks, view, etc. should be preserved and incorporated in to the site design of the project</i>	The site has 80 protected trees on the site of which 15-20 may be able to be retained. Two protected palm trees are also proposed for relocation in the site. The majority of the retained trees are along the periphery of the site. Sidewalk placement will also take into account existing mature street trees. The trees proposed for removal are primarily trees located in the existing development parking lot and employee open spaces. These areas are compromised by the siting needs for the proposed facility and the constraints of the street access, geometry, residential proximity, and groundwater monitoring wells of the site.
<i>A9 Project sites, excluding secured areas, should have convenient and safe pedestrian and automobile access to adjacent streets and service centers. On-site walkways should be linked to the public sidewalk system outside the project for ease of pedestrian access.</i>	Applicant has provided multiple vehicular access points to the site and included pedestrian connections to the sidewalks with the exception of Arques Avenue. A promenade pedestrian connection is provided in the center of the parking lot connecting to Wolfe Road.
<i>Section V A1 Service facilities shall be located away from public view and adequately screened from surrounding uses.</i>	The project's loading and delivery areas as well as trash collection are located behind the building with minimal visibility from public streets and the greatest degree of separation and screening possible from residential uses along Wolfe Road.

Architecture:

The proposed building most resembles that of a warehouse use due to overall size and open floor plan of the interior space. The project design review requires focus on building materials and architectural features rather than massing and bulk to maintain consistency with comparative one-story building types. Staff also recommends focusing attention and quality detailing on the Arques and Wolfe facades where they are the most visible to the public.

The basic building material for the project is tilt up concrete walls with foam formed trim and cornices and E.I.F.S (similar to stucco) finish on architectural features. The colors are proposed to be a basic brown/beige color palette featuring Lowe's corporate colors of blue and red as accents. The fence enclosing the garden center space is proposed to be chain link security fences with a fabric screen above eight feet. Multiple metal canopies also protrude above the fence line.

The building façades run approximately 600 feet lengthwise and 280 feet wide. The front (Wolfe) face includes 175 feet of garden center linear footage, a primary entrance with a heightened gable like parapet, a secondary articulated exit, and at the south end of the building a vehicle pick up area with a portico. The rear façade of the building includes service access bays and trash collection areas. The Arques façade includes the portico with no other notable features. The north façade is the garden center with its fence and canopies.

The basic parapet height for the building is 28' 8" from ground level and the main entry tower extends up to 49 feet, the secondary exit is 33 feet, and the element above the portico extends to 38 feet. The garden center fencing ranges from 11 feet to 20 feet in height. The site will be graded higher for drainage purposes raising the overall height of the building as measured from the top of curb by 1-2 feet, but will remain well below the maximum height of 75 feet permitted in the MS zoning district.

Staff's primary concerns are the aesthetics of the concrete walls, fencing design for the garden center, and building façade and parapet articulation. The size of the building is very large and proportionate features to façade length should be included for articulation and interest. The project should proportionately define a top, middle, and base for the one-story structure and contain multiple points of focus for the 600-foot Wolfe façade and 280-foot Arques façade. Staff recommends the project use variable parapet heights along Arques with changes of color and decorative columns, reveals, or expansion joints (provided public art options are not hindered). The Wolfe façade should include additional articulation along the main building such as walkway coverings or an arcaded element with a mansard roof treatment blending into the parapet wall. Staff also recommends inclusion of a glass façade treatment for the interior seasonal sales area to provide diversity in materials and an additional

focal point. The garden center treatments should include a coarser, more substantial, iron fencing type in lieu of the chain link. Additional security fencing behind the wrought iron type fencing for security should be permitted.

In regards to materials, the proposed tilt up concrete walls should include a greater degree of texture. Emphasis on quality materials should be at the pedestrian level of the building. Staff recommends that split face concrete block or other high texture element and pattern be incorporated into the Wolfe and Arques façades. Tilt up concrete has alternative finish options besides the proposed smooth surface and the applicant may propose such a textured exterior finish in lieu of a change in building materials. The appearance and durability of the garden center roof material and fabric screening will have additional scrutiny for compatibility with staff's recommended changes during the final plan review.

The following Guidelines were considered in the analysis of the project architecture.

Industrial Design Guidelines	Comments
<i>Section II A4 Front facades of large buildings visible from a public street shall include architectural features such as reveals, windows and openings, expansion joints, changes in color, texture, and material to add interest to the building elevation. Exceptions may be permitted only where a specific architectural style offers other types of facade articulations, as determined by the planning staff.</i>	The building design is a one-story warehouse type configuration with an open interior floor plan. The project includes a main entrance with a tower element and a secondary entrance as well as portico at the southwest corner. Staff believes the additional articulative elements are needed for the expansive façades and recommends materials changes to add texture, glass windows, and other decorative features.
<i>B3 New buildings shall have three distinct components: base; middle; and top. Define each component by horizontal and/or vertical articulation. Facade articulation may consist of changes in the wall plane, use of openings and projections, and material and color variations. Exceptions may be permitted only where a specific architectural style offers other types of building form and facade articulation, as determined by the planning staff.</i>	The building is one story with limited definition. Pedestrian level features should define the base of the building with a parapet or cornice defining the top. Conditions requiring enhanced base-level materials facilitate implementation of this guideline.
<i>Where function necessitates a basic, box-like building form, exterior articulation such as change in color, material, or plane shall be introduced on an outer decorative shell encompassing facades which are visible from public streets. Less architecturally interesting facades of buildings shall be substantially setback and screened from public view by mature, dense landscaping as an alternative to furnishing quality architecture. Landscaping size and location shall be determined on a site-by-site basis and may exceed the minimum required in the City Code.</i>	Staff has recommended additional features be included in the current design such as a covered walk way in the front of the building, changes of color and decorative columns in other areas. The garden center is setback hundreds of feet from Stewart Drive and the rear loading area of the building is not readily visible from the public street. Increased landscaping is not in the opinion of staff necessary for screening of the side and rear of the building.

Industrial Design Guidelines	Comments
<i>B5 Main entrances to the buildings shall be well defined.</i>	The project includes well defined pedestrian and vehicle entrances.
<i>B6 New buildings shall have at least one major focal point and minor focal points. Focal points could be achieved through horizontal and vertical lines, change in material, change in color, change in the form and shape of a portion of the building, etc. Combining the main entrances and the focal points is encouraged.</i>	The current focal point for the building is a large 50-foot high tower entrance element that is also intended to provide a high visibility sign area for the business. Staff has recommended that a glass window element be included along the Wolfe façade for diversity and interest. The Arques façade currently does not have a focal point, other than the side view of the portico. An embellished parapet or provision of a corner tower or other decorative feature would enhance the façade. The project may also provide public art in this area.
<i>D1 In new buildings, long horizontal roof lines shall be broken up by providing articulations in the facade of buildings, change in the height of portions of roofs, or change in color, material, forms, etc. Exceptions may be permitted only where a specific architectural style offers other types of roof forms and roof articulation, as determined by the planning staff.</i>	The parapet height is consistent at approximately 30 feet in height except for entryways. Along Arques the parapet steps down slightly over the length of the façade from front to rear. Staff has recommended including additional changes in height to increase articulation of the most publicly viewable façades. Rooftop equipment placement and screening shall also be incorporated into the final design. The garden center metal roofing is a compatible change in form from that of the main building.
<i>E2 Large expanses of smooth material such as concrete shall be broken up with expansion joints, reveals, or changes in texture and color.</i>	Staff has recommended a textured finish or change of material type consistent with the split face block design and pattern be incorporated into the façade. At a minimum changes of color and scoring of the walls shall be required for interest.

Landscaping:

The project includes a variety of landscape treatments for the site. The 15-acre site includes frontage landscaping, parking lot planter bays and landscaped parking lot medians, hydroseed areas, and Turfstone™ overflow parking spaces. Including the 2.4 acre hydroseed area the site has over 32% landscaping where 20% is required. Considering that the hydroseed area is a land conservation area for future development, removing the 2.4 acres of hydroseed area from the remaining Lowe's site landscape analysis results in a landscape percentage of 24% including the 26,300 square feet of Turfstone™.

The existing site is a mature site and contains a number of significantly sized trees, primarily located in the existing parking lot along the east side of the building. Other significant trees are located along Wolfe Road and Arques Avenue. The site has a total of 80 trees that meet the city criteria for protection. Of the 80 protected trees 33 of the trees are considered to have a

good or better rating by the arborist. Of the 33 good rated trees between 12-16 trees may be able to retained and survive the construction activities and change of conditions on the site, plus the two signatory palm trees located near the Arques building entrance are to be relocated for preservation. An additional three fair-rated significant trees may be retained for a total 15-21 of 80 significant trees potentially retained in the project. Most of these trees will be located along the periphery of the site. The applicant has proposed a minimum of a 24-inch box tree for all newly planted trees on the site. Staff is recommending a condition that the applicant include 10% 36-inch box trees or equivalent size specimen trees for mitigation of the exceptionally large specimen eucalyptus and redwood trees to be removed.

The tree protection plan has been reviewed by staff (including the City Arborist) and staff is in agreement with the findings of the applicant's analysis of the ability to retain existing trees. Although a handful of specimen redwood trees are to be removed per the proposed design Staff does not recommend trying to relocate the building due to site constraints of the geometry of the site and monitoring wells located to the north, as well as the grading needs of the site and the effect of grading on the stability and health of mature trees. Efforts to retain trees in the driveway access areas or parking lot areas would result in an inefficient parking lot configuration and likely drop the parking supply below the minimum requirement as well. Staff will continue to work closely with the applicant to ensure the maximum number of mature trees shall be retained.

The site also has the opportunity to take advantage of the close proximity of the city's recycled water system located in Wolfe Road. The recycled water is of the highest quality available for uses other than those requiring potable water. The primary use is for landscape irrigation. Recycled water has a somewhat lower cost as compared to potable water usage rates. Staff recommends a condition that at a minimum the project utilize recycled water for irrigation purposes and to the extent practicable for connections to plumbing fixtures or washing and cleaning materials and outdoor surfaces

The following Guidelines were considered in analysis of the project landscaping.

Industrial Design Guidelines	Comments
<i>Section IV A9 Future phases of a project site already cleared and graded shall be adequately treated (e.g. hydro mulch) to prevent erosion and reduce aesthetic impacts.</i>	2.4 acres of unneeded area are reserved for future development and planned for hydroseeding rather than additional impervious surfaces. Waterwise plant materials rather than turf or the use of recycled water for irrigation will be required for the hydroseed area.
<i>C3 Landscape should be integrated with hardscape such as textured pavings, water fountains, trellises and walkways or art work to enhance the overall design of the site.</i>	The promenade is integrated with the parking lot shading trees and additional plant materials as well as an architectural trellis covering for interest. Other connections include enhanced hardscape. The main walkway in front of the building entrance should include potted plants or other elements to provide interest.

Industrial Design Guidelines	Comments
<i>D1 distribute parking lot landscape reduce glare heat island</i>	The project will comply with the 50% parking lot shading requirement. Landscape islands as well as tree wells are provided for in the parking lot design. Turfstone™ is utilized to reduce the amount of asphalt.
<i>E4 For non-industrial uses in industrial areas such as retail uses, fences other than cyclone or chain link fences shall be used.</i>	The primary fencing is surrounding the garden center. Other screening and fencing is located in the rear loading areas. The aesthetics of the garden center fencing and its height require that a wrought iron or thicker metal fence material be the primary fence and a secondary smaller holed fence may be included for security. Upper half fabric screens as proposed may be tattered and non-compatible from a durability perspective.

Parking/Circulation:

The applicant has provided parking in excess of the minimum parking ratio of 1 space per 225 square feet resulting in a total of 662 where 629 is required. The applicant has also provided local/regional comparison to other Lowe's sites indicating that less than the minimum number of required spaces is actually necessary from their perspective due to their peak demand being springtime weekend periods rather than the holiday season of traditional retailers. A rate of 1 space per 333 square feet would be adequate for Lowe's operations. The applicant has also indicated that seasonal sales are to be located in an area just to the west of the garden center in the parking lot. The seasonal sales area displaces 32 spaces thereby reducing the available spaces to the minimum required of 629 spaces by the zoning ordinance. When future development occurs within the hydroseeded areas additional parking may be required to serve those uses. Employee parking is to be located in less convenient locations generally along the periphery.

The VTA guidelines for bicycle parking for retail use is 1 space per 30 employees plus 1 space per 6,000 square feet of floor area. The parking types are divided between secure and unsecure spaces. Lowe's may provide secured parking inside of the building in protected and designated areas. A condition of approval requires the applicant to designate appropriate number of parking spaces and types as well as their locations prior to issuance of building permits.

In addition to parking spaces for vehicles and bicycles, ten shopping cart storage stalls are interspersed throughout the parking lot.

Circulation:

The site can be accessed by vehicles from all three public streets. Along Arques Avenue an expanded driveway is proposed at the southeast corner for

truck access and a second access point is located near the southwest corner of the site for customer access. The southeastern driveway is a full movement access point and the western customer access driveway is a right-in right-out only configuration due to its location near the Wolfe Road intersection. The new Wolfe Road intersection is located near the middle of the frontage and is also a right-in right-out driveway as well. This driveway location is across from the current break in the median used by the Fire Department for northbound routing on Wolfe Road, but is not intended for left turn access into the Lowe's site. Along Stewart Drive the western most driveway is a right-in only with no exiting due to its location on a curve, however the western driveway is a full turning movement access point. No direct signalized access is provided to access the site. Truck access is to occur along the east periphery of the site with trucks most likely entering off of Arques Avenue and departing onto Stewart Drive. A customer drive up loading area also exists near the Arques mid-site driveway location for patron to be able to load large items directly into their vehicles. Service for 6-8 vehicles can be accommodated at one time in the pick up area.

All access points have been reviewed with the Transportation Division and a traffic impact analysis was reviewed for conformance with general design practices and city specifications. The driveways have a throat depth of a minimum of 75 feet to allow for adequate entry into the site and stacking from the street. Other design features for driveway movement controls are also incorporated.

As discussed previously the site is served by sidewalks except for the Stewart Drive frontage. The sidewalk is currently a four-foot wide sidewalk where a minimum of five feet is the current city specification. Per the Sunnyvale Municipal Code a sidewalk will be required along the Stewart Drive frontage. Sidewalk easements or right-of-way dedication may be required during the final plan review to construct the sidewalks and preserve existing street trees where practicable.

The plan's primary pedestrian route to the site is located from Wolfe Drive via a landscaped walkway and planter area through the parking lot. In addition, a pedestrian path is delineated from the store to the sidewalk connection along Stewart Drive. The most problematic pedestrian access point is from Arques Avenue as no connection is currently proposed. Staff is recommending a condition of approval to include a delineated pedestrian connection from Arques Avenue to the store.

As mentioned earlier, Arques Avenue is deficient in providing a bicycle lane along the subject frontage although it is identified as Countywide Bicycle Route #1. The current westbound bike lane begins to terminate at the site's east property line and ends completely at about 100 feet past the property line. The bike lane restarts after the intersection with Wolfe Road. The General Plan

indicates that new development is required to integrate transportation and land use and support multi-modal transportation, including implementation of the adopted 1993 Bicycle Plan of which Arques Avenue is part of the bicycle routes. Staff believes in addition to General Plan policy there is a sufficient nexus to require the construction of a bike lane along this frontage for the following reasons:

- *context of the site in relation to significant bicycle routes,*
- *the impact of the redeveloped sites increase in average daily trips compared to previous uses,*
- *increased usage of Arques Avenue with the project's two curb cuts related to project's increased traffic,*
- *proposed relocation of the eastern driveway closer to the Wolfe Road intersection increasing the concentration of vehicles, bicyclists, and pedestrians near a major intersection thereby exacerbating inherent conflicts of vehicles and bicyclists during turning movements*
- *degree of frontage improvements required for the driveway improvements (impact to 42% of linear frontage) proposed for the site,*
- *difficulties and practicality of sidewalk alignments and connections from new construction to old construction.*

To construct a bicycle lane to complete the westbound segment no additional right-of-way is required with a configuration that includes a five-foot monolithic sidewalk and street trees placed behind the sidewalk and five feet for curb gutter and bike lanes. This configuration would require the removal of 8 Magnolia street trees of which three are greater than 12 inches in diameter. The City Arborist has been consulted on this proposal and is comfortable with the implications of the design on existing street trees, provided new street trees are planted. Staff recommends a condition requiring the construction of the bike lane in conjunction with the driveway and sidewalk improvements along Arques Avenue. The city would be responsible for future adjustments to the traffic signal at Wolfe Road and Arques Avenue for bicyclist recognition as the City's contribution to the improvement, rather than the applicant.

The following Guidelines were considered in analysis of the project parking and circulation.

Industrial Design Guidelines	Comments
<i>Section III A2 Where large parking lots are needed, adequate landscaped pockets shall be integrated into parking areas.</i>	In addition to providing landscaping throughout the parking area, Turfstone™ is proposed for overflow parking areas to reduce the amount of impervious surface and increase the perceived greenness and buffering of the perimeter landscaping.
<i>A3 Pedestrian and automobile traffic paths shall be separated and conflict areas shall be minimized.</i>	Pedestrian street connections are provided for, except to Arques Avenue. A recommended condition of approval requires an Arques connection as well.

Land Use and Transportation Element	
<p><i>Policy C3.2 Integrate the use of land and the transportation system</i></p> <p><i>Policy C3.5 Support a variety of transportation modes</i></p> <p><i>C3.5.2 Require sidewalk installation in subdivisions of land and in new, reconstructed or expanded development</i></p> <p><i>C3.5.4 Maximize the provision of bicycle and pedestrian facilities.</i></p> <p><i>C3.5.5 Implement the City of Sunnyvale Bicycle Plan</i></p> <p><i>C3.5.7 Ensure safe and efficient pedestrian and bicycle connections to neighborhood transit stops.</i></p>	<p>Site development should incorporate multi modal design concerns to encourage reduction in single occupant vehicle trips. The project is required to provide sidewalks and includes pedestrian connections to the street and a recommended condition requires bicycle parking in compliance with VTA retail guidelines. The City of Sunnyvale 1993 Bicycle Plan identifies Wolfe and Arques as a bicycle routes and lanes exist in the area except along the subject Arques frontage. Transit bus stops are also located in the vicinity, most directly related to the site at the intersection of Wolfe and Arques. Staff recommends a condition that the missing segment of a bicycle lane along Arques be provided in conjunction with the applicant's project frontage driveway improvements for consistency with the General Plan.</p>
<p>Policy N1.2 Require new development to be compatible with the neighborhood, adjacent land uses, and the transportation system.</p> <p>Policy N1.10 Provide appropriate site access to commercial and office uses while preserving available road capacity.</p>	<p>The driveway design and parking are compatible as proposed, including recommended conditions. The driveway spacing from intersections, throat depth, and controlled turning movements ensure safe and efficient vehicle usage. Additional sidewalk and bicycle lane provisions increase the usefulness of the transportation system ensure compatibility of the project.</p>

Art in Private Development:

As a non-residential project located on a site greater than 2 acres in size the project is subject to inclusion of art in private development requirement for art on the site. The project is required to include art at a value of 1% of the construction valuation of the project. A separate application shall be made to the Arts Commission for approval of appropriate artwork and location. The applicant has indicated a desire to include public art along the wall facing Arques Avenue.

Stormwater Management:

Although the impervious surface of the site is proposed to be reduced by 12.5% the project still exceeds 43,560 square feet of impervious surface and is classified as a Group 1 project. The project is therefore required to manage post construction stormwater runoff on the site through the inclusion of Best Management Practices (BMP). BMPs either reduce the amount of impervious surface on the site or provide methods of treatment and reduced flow rates of

stormwater. The applicant has included a variety of treatment methods including the use of Turfstone™ for overflow parking, drainage to landscaped areas, hydroseeded future development areas, and mechanical in ground devices.

Easements and Undergrounding:

No undergrounding is required as no above ground facilities are located on the subject site. Numerous easements are to be located on the site. An existing nitrogen line easement exists on the site and new sidewalk easements for the construction of sidewalks along the street frontages, most likely to be included along Stewart Drive, may be required. Street tree maintenance easements may also be required if trees are planted behind the sidewalk.

Conclusion**Compliance with Development Standards/Guidelines:**

The application is in compliance with development requirements and design guidelines. The applicant has provided for innovative techniques to address parking, stormwater, and landscaping requirements with the proposed design. The outdoor sales within the defined area will maintain the minimum parking required for the site by the SMC. Future development on the undeveloped 2.4 acres will require additional permits and compliance with development standards in place at the time of such a project proposal.

Expected Impact on the Surroundings:

The use is consistent with that of industrial uses in terms of comparable weekday activity with a greater spread of trips throughout the day rather than during peak hours; however, weekend use will be much greater than that of a traditional industrial use. The design of the site with multiple driveways and extensive perimeter landscaping shall allow for efficient use of the facilities and should ensure minimal disruptions to the apartment dwellers located west of the site. The other industrial uses would not be impacted by the project as it is similar to industrial uses permitted by right. The mitigated negative declaration addressed issues of glare and nighttime lighting requiring 100% downlighting and reduced pole heights for compatibility.

The provision of additional sidewalks and bicycle lanes will be beneficial to the area providing additional convenience and safety for pedestrians and bicyclists.

Fiscal Impact

The site is subject to the Citywide Transportation Impact Fee for net new trips generated by the development. No net trip increase for pm peak hours trips is projected for the proposed use, therefore no impact fee is anticipate for the project at this time. Development of the future sites will be subject to traffic impact fee requirements.

No fiscal impacts other than normal fees and taxes are expected.

Findings, General Plan Goals and Conditions of Approval

Staff was able to make the required Findings based on the justifications for the Use Permit .

- Findings and General Plan Goals are located in Attachment 1.
- Conditions of Approval are located in Attachment 2.

Public Contact

No correspondence has been received by Staff concerning the project.

Notice of Negative Declaration and Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• 146 notices mailed to the property owners and residents within 300 ft. of the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website• Recorded for SunDial

Alternatives

1. Adopt the Mitigated Negative Declaration and approve the Use Permit with attached conditions.
2. Adopt the Mitigated Negative Declaration and approve the Use Permit with modified conditions.
3. Adopt the Mitigated Negative Declaration and deny the Use Permit.
4. Do not adopt the Mitigated Negative Declaration and direct staff as to where additional environmental analysis is required.

Recommendation

Recommend Alternative 1

Prepared by:

Kelly Diekmann
Project Planner

Reviewed by:

Gerri Caruso
Principal Planner

Reviewed by:

Trudi Ryan
Planning Officer

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Negative Declaration
- D. Site and Architectural Plans

Recommended Findings - Use Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element -

Policy C3.2- Integrate the use of land and the transportation system

Policy C3.5- Support a variety of transportation modes

Action Statements

C3.5.2- Require sidewalk installation in subdivisions of land and in new, reconstructed or expanded development

C3.5.4- Maximize the provision of bicycle and pedestrian facilities.

C3.5.5- Implement the City of Sunnyvale Bicycle Plan

C3.5.7- Ensure safe and efficient pedestrian and bicycle connections to neighborhood transit stops.

GOAL C4 Sustain a strong local economy that contributes fiscal support for desired city services and provides a mix of jobs and commercial opportunities.

Policy C4.1- Maintain a diversity of commercial enterprises and industrial uses to sustain and bolster the local economy.

Action Statement C4.1.3- Promote commercial uses that respond to the current and future retail service needs of the community.

GOAL N1 Preserve and enhance the quality character of sunnyvale’s industrial, commercial, and residential neighborhoods by promoting land use patterns and related transportation opportunities that are supportive of the neighborhood concept.

Policy N1.1- Protect the integrity of the City’s neighborhoods; whether residential, industrial or commercial.

Action Statement N1.1.1- Limit the intrusion of incompatible uses and inappropriate development into city neighborhoods.

Policy N1.2- Require new development to be compatible with the neighborhood, adjacent land uses, and the transportation system.

Policy N1.10- Provide appropriate site access to commercial and office uses while preserving available road capacity.

Action Statement N1.10.1- Locate commercial uses where traffic can be accommodated, especially during peak periods (e.g., lunch time and commute times).

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project.

The proposed use of a large format warehouse retail store is an appropriate use for the site in this industrial zone due to its building and site development design that is compatible in terms of building size and intensity of use as compared to industrial office, manufacturing, or warehouse uses. The use is also a transitional use from traditional industrial uses located to the south and east of the site to the residential uses to the west. The proposed project provides additional retail shopping opportunities in an area that is served by two major arterial roads providing good access and convenience to the public. The retail store will provide additional tax revenue and reuse a vacant site at a time where industrial building vacancy rates exceed 15% thereby strengthening the local economy. Within Sunnyvale, large format retail stores are permitted and encouraged in appropriate industrial areas due to their building size and needs for large parcels of land that are not available in Sunnyvale's traditional highway commercial and downtown commercial areas. The use contributes to a strong economy and fiscal support for the city, preserves the character of the industrial park area by conforming to design guidelines and standards for architecture and landscaping, and is a compatible use as a transitional use between residential and industrial uses meeting the goals and policies of the Land Use and Transportation Element listed above.

The project includes managed driveway access and improved sidewalk connections in support of the City's transportation network. The project is also conditioned to complete a segment of a bike lane along the Arques frontage bringing the project into complete conformance with the City's requirements to integrate development with transportation needs, support the 1993 Bicycle Plan, support multi-modal transportation needs, and increase the safety and connectivity for bicyclists along this arterial road and at the major intersection of Wolfe Road and Arques Avenue. The project as designed and conditioned is in conformance with transportation related Goals and Policies of the Land Use and Transportation Element as listed above.

2. The proposed use is desirable, and will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the Zoning District because.

The project is desirable as a retail store that will provide additional services and revenue to the city, as well as replace a vacant and outdated industrial facility. The project complies with all development standards and implements appropriate design guidelines for design of landscaping,

access, architecture, and parking. The use has multiple access points to disperse traffic and has located service and loading areas behind the building as the best location to protect existing residential uses from disruption by operational impacts of the business. The parking lot design and access provide for adequate vehicle circulation ensure convenience and safety for the general public. The provisions of additional sidewalks and bicycle lanes provide immediate improvements to the neighborhoods circulation system for pedestrians and bicyclists. All of these features ensure compatibility of the proposed retail use with both residential and industrial uses in the vicinity.

Recommended Conditions of Approval - Use Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. The project is approved for a 135,000 retail warehouse building and a 32,00 square foot retail garden center and for temporary seasonal sales area in the location shown on the site plan.
- B. Temporary seasonal sale area in the parking lot is limited to use at four times per year for no more than 30 consecutive days. Removal of debris and merchandise is required within 48 hours of end of the use.
- C. The hours of operation are limited to 6:00 am to midnight for standard hours of operation, excluding short duration sales events which may have extended hours. Hours extending beyond midnight shall require approval of the Director of Community Development through a Miscellaneous Plan Permit.
- D. Outdoor display of items along the front walkway is permitted throughout the year provided the display does not restrict the width of the walkway to less than ten feet in width and the area has regular upkeep to maintain tidiness and cleanliness at all times. Habitual violation of this requirement shall revoke this privilege at the discretion of the Director of Community Development.
- E. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development, major changes may be approved at a public hearing.
- F. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- G. The Use Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
- H. Prior to submittal of plans for building permits the applicant shall provide a third party certified stormwater water management plan to the City and an Impervious Surface Calculation worksheet to the

Regional Water Quality Board and the City. The stormwater management plan shall be complete in accordance with 12.60 of the SMC.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

- A. Prior to approval of a building permit for site improvement, evidence of permit approval from the California Regional Water Quality Board is required.
- B. Obtain necessary permits from the Development Permit from the Department of Public Works for all proposed off-site and frontage improvements.
- C. Obtain approval from the Crime Prevention Division of Public Safety Department for crime prevention measures appropriate to the proposed development prior to issuance of a Building Permit.

3. ENVIRONMENTAL MITIGATION MEASURES

- A. In addition to complying with applicable City Codes, Ordinances, and Resolutions, the following mitigation measures are incorporated into the project to minimize the identified potential environmental impacts:

AESTHETICS (d)

- WHAT: 1) All walkway lighting and security lighting will be down lit and designed at a pedestrian scale in height and degree of illumination.
- 2) A photometric plan shall be provided during the building permit review.
- 3) Flood lights and spot lights shall be kept to a minimum and included on the photometric plan.
- 4) All parking lot pole lighting shall be downlit, decorative building lighting shall also be directed downward. Parking lot pole height is to be determined through the Use Permit conditions of approval but shall not exceed 24 feet in height including the base of the luminary. Cutoff lenses to ensure reduction in glare and direct visual appearance of the lighting source from adjacent residential use are to be included in the luminary selection.
- 5) All lighting shall be kept to a minimum usage and intensity when the use is closed to the public (outside of hours of operation).
- 6) No lighting from the building or light poles will cast across any property lines.

WHEN: These mitigation measures will be converted into conditions of approval for this Use Permit (UP) prior to its final approval by the City's Planning Commission. The conditions will become valid when the UP is approved and prior to building permit issuance.

WHO: The property owner will be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

AIR QUALITY (b,d)

WHAT: 1. Permits must be obtained from the City of Sunnyvale, Bay Area Air Quality, and Regional Water Quality Control Board prior to demolition or construction.

2. During grading of the site additional BMP shall be included to minimize dust and particulate matter impacts as follows:

a. Water active areas of the site daily, or as needed during windy and dry times;

b. Stabilize access roads on to the site with paving, non-toxic stabilizers, or application of water a minimum of 3 times daily with a crushed rock surface ;

c. Sweep roads (including public), parking, and access areas with water sweepers daily if visible soil is carried onto these surfaces;

d. Cover all trucks hall soil, sand, or other small sized debris or require trucks to maintain two-feet of freeboard

e. Plant vegetation for in disturbed areas as immediately as feasible, this includes the hydroseeded area on the site plan.

WHEN: These permits are required prior to any demolition or construction at the site and BMP are to be included as notes on the grading permits.

WHO: The property owner will be solely responsible for obtaining permits.

HOW: These mitigation measures will be required to be completed prior to building permit issuance.

CULTURAL RESOURCES (a, b) Staff has no evidence of archaeological resources being located on-site or being found in the immediate vicinity. However, the project scope does include major excavation of the site for construction of the proposed building and there may be the potential that the project may uncover yet undiscovered archaeological resources.

The following mitigation measures are proposed:

WHAT: 1) The applicant is responsible for onsite monitoring of project-related construction. In the event that subsurface cultural resources are encountered during approved ground-disturbing activities, work in the immediate vicinity shall be stopped and a qualified archaeologist retained to evaluate the finds. The discovery or disturbance of any cultural resources shall also be reported to the California Historic Resources Information System (CHRIS) and, if Native American artifacts are found, to the Native American Heritage Commission. Identified cultural resources should be recorded on form DPR 523 (historic properties). Mitigation measures prescribed by these groups and required by the City of Sunnyvale should be undertaken prior to resumption of construction activities.

2) If human remains are found during project grading, work shall halt and the County Coroner shall be informed immediately. If the Coroner determines that no investigation of the cause of death is required, and if the remains are of Native American origin, the Native American Heritage Commission should be contacted and further actions should be taken in consultation with them.

3) If disturbance of a project area cultural resource cannot be avoided, a mitigation program, including measures set forth in Section 15126.4 of the CEQA Guidelines, shall be implemented.

WHEN: These mitigation measures will be converted into conditions of approval for this Use Permit prior to its final approval by the City’s Planning Commission. The conditions will become valid when the Use Permit is approved and prior to building permit issuance.

WHO: The property owner will be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

TRANSPORTATION AND TRAFFIC (d)

WHAT:

1) The applicant will be required to limit driveway for the western Stewart Drive access to right-turn into the driveway only. There will be no left-turns into the site permitted or exiting from this driveway. The driveway will be constructed to physically limit prohibited movements. A median barrier shall be constructed within the Stewart Drive right-of-way to City specification if required by the Transportation Manager.

2) The applicant will be required to create a minimum driveway throat length of 75 feet for the Wolfe Road driveway.

WHEN: These mitigation measures will be converted into conditions of approval for this Special Development Permit prior to its final approval by the City’s Planning Commission. The conditions will become valid when the Use Permit is approved and prior to building permit issuance.

WHO: The property owner will be solely responsible for implementation of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

4. ART IN PRIVATE DEVELOPMENT

- A. Comply with the art in private development requirements as noted in Sunnyvale Municipal Code Section 19.52.

- B. Provide publicly visible artworks along Arques Avenue and Wolfe Road.
- C. Submit an Art in Private Development application to the Director of Community Development for approval by the Arts Commission, prior to issuance of a Building Permit.

5. DESIGN/EXTERIOR COLORS AND MATERIALS

- A. The plans shall be revised to be consistent with the Design Guidelines to provide the following:
 - 1. Additional building articulation along Wolfe and Arques frontage. Arques façade shall include variable parapet height and focal point of interest, as well as changes of color and decorative columns or other features to address the long and large wall plane. Options may include a modest tower corner element, decorative accent features in the form of either materials of physical building elements, windows, or public art (if approved by Arts Commission). The Wolfe building façade shall provide additional articulation to break up the long expansive wall. A covered walkway, arcade feature, mansard roof overhang, or other defining feature shall be explored and incorporated in the building design to address the expansive appearance of the wall. A glass window façade feature shall also be incorporated in the building design.
 - 2. Provide a more textured exterior building material and pattern of split face block for visual interest. In lieu of split faced block building material the applicant may propose alternative finishes to proposed concrete tilt up walls that are not of a smooth and flat nature. Building materials changes are only required for Wolfe and Arques facades.
 - 3. Accent and decorative feature proportionately and rhythm shall be enhanced and continue to work with staff on these features.
 - 4. Materials and features along columns or corners shall wrap around the sides.
 - 5. Include all roof top and mechanical equipment and appropriate screening elements on all elevations. All such equipment shall be screened and the screening shall be integrated into the building architecture.
 - 6. Enhance pedestrian level experience; include design emphasis and material quality at this level of the building when working to define a base and top of the building.

7. The garden center fencing shall be of a black color coarse iron design rather than chain link fencing. Behind the architectural fencing a denser security fencing may be included in a compatible color and material to the iron fencing. The applicant shall explore alternatives to the fabric screen for the upper half of the fencing for durability and aesthetic, final selection of material to be approved by Director of Community Development and may approve fabric screening if determined to be the most appropriate choice.
 8. The garden center roof material selection and design on the final plans are subject to review and approval by the Director of Community Development for compatibility with the architectural design of the main building.
- B. Final exterior building materials and color scheme are subject to review and approval of the Planning Commission/Director of Community Development prior to issuance of a building permit.
 - C. Visible roof material shall be high durability (minimum 50-year warranty quality) and high level of visual interest, or as approved by the Director of Community Development.
 - D. Fabric awnings or screening shall be replaced as needed, but at a minimum shall be replaced at least every five years. Any change of color, materials or design and are subject to review and approval by the Director of Community Development.

6. EASEMENTS AND DEDICATIONS

- A. Prior to issuance of a building permit for construction, dedicate appropriate sidewalk easements where necessary for routing of meandering sidewalks to preserve mature trees.
- B. Prior to issuance of a building permit for construction, dedicate street tree easement for maintenance of street trees placed behind public sidewalks.
- C. Dedicate public utility easements to install these facilities per Department of Public Works requirements.

7. LANDSCAPING

- A. Detailed landscape and irrigation plans are approval by the Director of Community Development prior to issuance of a Building Permit. Include details of arbors or trellises in the pedestrian promenade feature.
- B. A tree shading plan for parking areas shall be provided illustrating compliance with the 50% shading requirement within 15 years.

- C. Inclusion of potted plants is encouraged along the building façades.
- D. Landscaping and irrigation shall be installed prior to occupancy.
- E. Decorative paving as required by the Director of Community Development to distinguish entry driveways, building entries, pedestrian paths and common areas. Decorative paving band of a minimum of 20 feet in depth for the entire width of the driveway (s) shall be placed immediately behind the sidewalk. Truck access points shall use stamped concrete or equivalent material of durability.
- F. Provide separate meter for domestic and irrigation water systems as required by Public Works.
- G. A tree protection plan shall be submitted for any existing trees on the site. Where possible, trees shall be protected and saved. Provide an inventory and valuation of any trees proposed to be removed prior to issuance of building permits.
- H. The landscape plan shall include street trees and shall be submitted for approval to Director of Community Development and to the City Arborist for selection and location of street trees.
- I. All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition.
- J. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices.
- K. Provide trees at minimum 30 feet intervals along side and rear property lines, except where mature trees are located on the subject site or are immediately adjoining on neighboring property that would dictate a different planting pattern.
- L. Of new trees installed, the minimum size of 24-inch box size or larger with ten percent of trees at 36-inch box size or larger
- M. Any "protected trees", (as defined in SMC 19.94) approved for removal, shall be replaced with a specimen tree of at least 36-inch box size or of equivalent size for the species unless determined inappropriate for the specific location by the Director of Community Development.
- N. At the expense of the applicant, City staff shall install required street trees of a species determined by the Public Works Department.
- O. Ground cover shall be planted so as to ensure full coverage eighteen months after installation and shall be 70% waterwise species.

- P. Hydroseed area shall be of a drought resistant species so as not to require irrigation after establishment unless served by recycled water.
- Q. All areas not required for parking, driveways or structures shall be landscaped.
- R. The developer may provide separate (irrigation and other) intake water meters. Such meters could be installed prior to occupancy of the building.

8. TREE PRESERVATION

- A. Prior to issuance of a Demolition Permit, a Grading Permit or a Building Permit, whichever occurs first, obtain approval of a tree protection plan from the Director of Community Development. Two copies are required to be submitted for approval.
- B. The tree protection plan shall be installed prior to issuance of any Building Permits, subject to the on-site inspection and approval by the City Arborist.
- C. The tree protection plan shall remain in place for the duration of construction.
- D. The tree protection plan shall include measures noted in Sunnyvale Municipal Code Section 19.94.120 and at a minimum:
 - 1. An inventory shall be taken of all existing trees on the plan including the valuation of all 'protected trees' by a certified arborist, using the latest version of the "Guide for Plant Appraisal" published by the International Society of Arboriculture (ISA).
 - 2. All existing (non-orchard) trees on the plans, showing size and varieties, and clearly specify which are to be retained.
 - 3. Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
- E. Overlay Civil plans including utility lines to ensure that the tree root system is not damaged.
- F. The applicant shall preserve the mature redwoods along Wolfe Raod to the extent feasible, including possible modification to parking lot design or sidewalk routing.
- G. Continue to work with staff on opportunities to retain mature trees.
- H. Relocate palms as indicated on site plan.

9. LIGHTING

- A. Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole designs, for approval by the Director of Community Development. Driveway and parking area lights shall include the following:
- B. All lighting shall be high pressure sodium vapor illumination or other illumination type with an equivalent energy efficiency.
- C. All lighting is to be 100% down lighting with full cutoff lenses in the parking lot areas.
- D. Pole heights to be uniform and compatible with the areas, including the adjacent residential areas. Light standards shall not exceed 18 feet on the interior of the project and 8 feet in height on the periphery of the project near residential uses.
- E. Provide photocells for on/off control of all security and area lights.
- F. Building accent lighting, if any, shall be down lighting only.
- G. All exterior security lights shall be equipped with vandal resistant covers.
- H. Wall packs shall not extend above the roof of the building.
- I. Prior to issuance of a Building Permit submit a contour photometric plan for approval by the Director of Community Development. The plan shall meet the specifications noted in the Standard Development Requirements.

10. PARKING & CIRCULATION

- A. Provide a designated pedestrian connection route from Arques Avenue to the front of the building.
- B. Driveway access shall be designed to Transportation Division specifications for throat depth and traffic movement control measures/diverters.
- C. Specify customer and employee parking areas on plans. All such areas shall be clearly marked. Employees shall be required to park on the site.
- D. Two percent of the total parking provided shall meet minimum requirement for Accessibility in compliance with ADA.
- E. Specify compact parking spaces on Building Permit plans. All such areas shall be clearly marked prior to occupancy, as approved by the Director of Community Development.

- F. The final plan shall include Turfstone™ treatment or equivalent permeable pavement system for the overflow parking indicated on the plan.
- G. At no time shall seasonal sales on the site reduce the available parking to levels below the minimum number of spaces required for the project.
- H. Employee carpool parking spaces shall be reserved for spaces nearest the building and indicated as such on site.
- I. Shopping cart holding corrals are to be included in the plan throughout the parking area and of an adequate capacity to meet customer demand and insure carts do not obstruct parking spaces or drive aisles.
- J. Mass storage of carts for customers shall occur inside the building or if located outside be screened from view and allow for a minimum of ten feet of clear walkway space.

11. BICYCLE PARKING

- A. Provide an estimated 30 bicycle parking spaces of which 23 are Type II and 7 are Type I dependent on final employee levels and building size. The Type II racks are to be located near the front entrances of the building. The Type I spaces may be located within a designated and secured area within the building, such areas shall be shown on the floor plans.

12. RECYCLING AND SOLID WASTE

- A. Prior to demolition of the existing facilities the City strongly encourages contacting Construction Waste and Recycling Specialist (408-730-7484) of the Public Works Department for diversion of construction waste from the landfill through recycling and reuse of materials either onsite or through third party contractors.
- B. Submit a detailed recycling and solid waste disposal plan to the Director of Community Development for approval.
- C. All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.
- D. The required solid waste and recycling enclosure shall match the design, materials and color of the main building.
- E. The enclosure shall be of masonry construction and shall match the exterior design, materials and color of the main building.
- F. Remove all debris, structures, area light poles, and paving from the site prior to commencement of new construction.

13. RIGHT-OF-WAY IMPROVEMENTS

- A. Obtain a Development Permit from the Department of Public Works for improvements in the right-of-way.
- B. Curbs, gutters, sidewalks, streets, utilities, traffic control signs, electroliers (underground wiring) shall be designed, constructed and/or installed in accordance with City standards prior to occupancy. Plans shall be approved by then Department of Public Works.
- C. Sidewalks are to be installed along Stewart Drive to City specifications taking into account impacts to existing mature street trees. Sidewalk easements may be required to allow for routing of sidewalks around trees.
- D. Prior to the issuance of a building permit the applicant shall verify the condition of existing sidewalks along the street frontage and at the discretion of the Community Development Director the applicant shall be required to provide sidewalks that meet current City standards if the sidewalks are determined to be substandard.
- E. Prior to occupancy all frontage improvements including but not limited to driveway design, sidewalks and curb cuts shall be constructed.
- F. In conjunction with the driveway and sidewalk improvements for Arques Avenue a bicycle lane shall be constructed along the entire frontage of Arques Avenue that includes a five-foot monolithic sidewalk, curb and gutter and a three-foot bicycle lane with striping all as specified by the Transportation Manager. Street trees are to be planted along the back edge of the sidewalk with approval of the City Arborist.

14. ROOF/ROOF SCREENS

- A. The building design for roof type and parapet height shall be of an appropriate design and height so as to screen all roof top equipment from view.

B.

15. SIGNS

- A. Signage is not included as part of this Use Permit and requires a separate sign permit.

16. UTILITIES

- A. All proposed utilities shall be undergrounded.
- B. The project shall be required to connect to the recycled water system in Wolfe Road unless otherwise approved by the Director of Public

Works. The water shall at a minimum be used for irrigation of landscaping and is encouraged to be used for all other non-potable water needs of the site. If capacity does not exist at this time to serve the site an extension of the water main shall be made to serve the site and the project shall record a legal agreement against the property indicating at such time water is available they will connect to and use recycled water.

17. VEHICLES

- A. No vehicles or trailers shall be advertised for sale or rent on the site and nor vehicle sales, leasing or rentals shall be conducted at the site.

18. MISCELLANEOUS

- A. Out-of door loudspeakers shall be prohibited.
- B. Any modification or expansion of unenclosed uses shall require approval from the Director of Community Development.
- C. All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure area. Any stacked or stored items shall not exceed the height of the enclosure.